

MINUTES BOARD OF PUBLIC WORKS MEETING IN THE OFFICES  
OF THE GOVERNOR, STATE HOUSE, ANNAPOLIS, MARYLAND, ON  
THURSDAY, NOVEMBER 9, 1939

There were present:

Herbert R. O'Connor, Governor  
J. Millard Tawes, Comptroller  
Hooper S. Miles, Treasurer

Mr. Walter N. Kirkman, Director of the Department  
of Budget and Procurement, attended the meeting.

THE MARYLAND WORKSHOP FOR THE BLIND: - Stands for newspapers, etc.

The Secretary reported to the Board that Mr. Ratchford, Superintendent, Maryland Workshop for the Blind, had been in touch with him in reference to the provisions of Chapter 513 of the Acts of 1939, which authorizes The Maryland Workshop for the Blind to issue licenses to blind persons to operate stands in all of the state, county and municipal buildings for the vending of newspapers, periodicals, confections, tobacco, etc. Mr. Ratchford requested that permission be given for a stand in the new State Office Building, Annapolis, Maryland.

The Board felt that, in view of the fact that it had denied others the privilege of operating stands, or concessions, in the new State Office Building, based on the thought that the conduct of a business in the new building would be inappropriate with the surroundings, it could not consistently agree to the request that a stand be authorized, as requested by The Maryland Workshop for the Blind.

MONTROSE SCHOOL FOR GIRLS: - \$75,000 for new building and equipment.

The Secretary brought to the attention of the Board a communication from Montrose School for Girls relative to bids received for a new Vocational Building at the institution. The General Bond Issue of 1939, in the August 15, 1939 Installment, includes an appropriation of \$75,000 for the new building and miscellaneous equipment. The bids received by the School varied from the \$69,400 bid of M. L. Robertson Company to \$81,900 from the Consolidated Engineering Company. The School was hopeful that it would be able to have the building erected at a cost of \$65,000, leaving \$10,000 for equipment, but in order to come within the figure of \$65,000 it would have to leave the second floor unfinished, and because of the cost being considerably more at a later date, it was felt that it was desirable to complete the building at this time and to defer the purchase of some equipment until a later date.

The recommendation of the School that it be authorized to enter into a contract with M. L. Robertson Company for the construction of this building at a cost of \$69,400, as covered by their bid, based on the plans and specifications prepared by Mr. Lucien E. D. Gaudreau, was approved.

MILITARY DEPARTMENT: - Leave of absence, Maryland National Guard Duty.

The Secretary brought to the attention of the Board a letter received from the Reserve Officers Association of the United States, Department of Maryland, in which the Board was requested to pass the Resolution submitted relative to leave of absence, etc., in case the Maryland National Guard is called for training or other purposes.

The Board was disposed to agree with the request of The Reserve Officers Association, but felt that before passing the resolutions, it should be determined that there would be no conflict with the Merit System Law as to leave of absence, and the Secretary was instructed to communicate with the Attorney General and request an opinion from him as to the propriety of the action of the Board in passing such resolutions in view of the law relating to the Merit System and the Military Department.

MILITARY DEPARTMENT: - Interest to First National Bank, Bel Air, Md.

The Board approved voucher submitted by the Military Department calling for payment of \$210.73 to The First National Bank of Bel Air, for interest on \$10,000 borrowed for repairs and the purchase of two pieces of ground at Camp Ritchie, payment to be made out of the item for "Armory Rentals" in the budget of the Military Department for the fiscal year 1940.

The Board approved for payment voucher submitted by the Military Department covering expenditures totaling \$142.04, payable out of the General Bond Issue of 1939, for certain expenditures in connection with work at Camp Ritchie.

COMPTROLLER:

The Comptroller submitted for approval by the Board, statement showing expenditures of \$55,110.89 for the Relief Tax Division, and \$86,124.03 for the Income Tax Division, for salaries and expenses for the six months ended September 30, 1939, under the Relief Tax Act of 1937.

STATE ROADS COMMISSION:

The Board approved execution of a deed from the State Roads Commission to Domie C. Ankeney and Reginald S. Ankeney of a parcel of land in Washington County, containing forty-seven one-hundredths (47/100ths) of an acre more or less, not needed for the purposes of the State Roads Commission.

Former GOVERNOR HENRY LLOYD:

The Secretary brought to the attention of the Board a communication from Mr. Russell S. Davis relative to the painting of the portrait of former Governor Henry Lloyd of Corchester County, for which there is an appropriation of \$500.00 in the Budget for the fiscal year 1940. Mr. Davis suggested that Mr. Frederick W. Wright, a fine portrait artist of New York City, who has a home at Cambridge and is a personal friend of the Lloyd family, be engaged for the work.

The Board was agreeable to the recommendation of Mr. Davis and authorized the painting of the portrait by Mr. Wright.

PUBLIC SERVICE COMMISSION:

Mr. Kirkman submitted lease executed between the Munsey Building Company and the Public Service Commission, advising that Mr. H. Vernon Eney, Assistant Attorney General, had reviewed the lease and approved it with the advice that it was in proper form for the approval of the Board.

The Board approved the lease, which covers the offices numbered 1701 to 1731, inclusive, of the Munsey Building, and a storage room in the sub-basement of the building, for a term of four years commencing October 1, 1939, at the annual rent of \$7,250.00, payable in equal monthly installments of \$604.17, on the first day of each month.

TAX REVISION COMMISSION:

The Secretary brought to the attention of the Board request from Mr. H. H. Walker Lewis, Secretary of the Tax Revision Commission, requesting that he be advanced a petty cash fund for expenditures that it will be necessary for him to make in connection with his work.

The Board authorized the advance of \$50.00 to Mr. Lewis for the purposes stated. The Governor stated that he had talked with Mr. Rawls, Chairman of the Commission, as to the amount of money to be made available for the work of the Commission of the appropriation for expenses of the Commission appointed by the Governor.

COURT COSTS, Etc.:

The Secretary brought to the attention of the Board a number of bills which had been received covering Court Costs and other items, which it was contemplated would be paid out of the appropriation of \$3,000 in the Miscellaneous Appropriations of the 1940 Budget, for such expenses.

The Board approved the bill of Jack Salomon in the amount of \$123.00, covering costs of transcript of testimony in the case of Sergeant William G. Edrington, Maryland State Police.

The Board approved the bills of William L. Rawls for \$197.16 and Joseph Sherbow for \$41.16, covering expenses incurred by them in connection with work of the Tax Revision Commission appointed by Governor O'Connor after the election of 1938.

The Board approved bills of the Daily Record, submitted by the Attorney General, covering Court Costs in various cases, totaling \$713.50.

The Board also approved bill of Baer Publicity Company for work in connection with the Urner Commission on Trial Magistrates in the amount of \$139.52.

State Teachers' College at Bowie:

The Secretary brought to the attention of the Board a request from the State Department of Education that authority be granted for the expenditure of approximately \$400 for a new turbine pump for one of the two wells at the State Teachers' College at Bowie, payment to be made out of the balance of \$278.53 to the credit of the college in the 1931 General Construction Loan and the balance out of funds available to the college in the General Construction Loan of 1937.

The Board approved this request.

ROSEWOOD STATE TRAINING SCHOOL:

The Secretary brought to the attention of the Board a letter received from the Rosewood State Training School requesting that they be authorized to employ the engineering firm of Whitman, Requardt and Smith, of Baltimore, for the planning and supervision of the new Filtration Plant at the institution, for which there is an appropriation of \$30,000 in the General Bond Issue of 1939, and the fee to be paid to the engineering firm to be ten percent (10%) of the total cost or a flat fee of \$2,500.

This request was approved by the Board.

STATE GAME PROTECTION FUND:

The Secretary brought to the attention of the Board some correspondence between the Comptroller's Office and the Maryland State Game and Inland Fish Commission relative to the appropriation of \$5,280.00 in the budget of the Conservation Department for the fiscal years 1940 and 1941, for salaries of Superintendent of Fish Hatcheries and Fish Culturists (3). The Game Department requests that this money be transferred from the budget of the Conservation Department to the budget of the Maryland State Game and Inland Fish Commission.

The matter was referred to Mr. Kirkman for investigation and report.

ANNAPOLIS ARMORY:

The Secretary brought to the attention of the Board a communication from the Parent-Teacher Association of the Annapolis High School protesting against the location of the Armory on the Constitution Avenue site, which site is close to the High School.

As no recommendations had been received from the Military Department as to locations for the new Armory, it was not possible to give consideration to the communication from the Parent-Teacher Association.

MILITARY DEPARTMENT:

The Secretary reported that he had received no reply from the Military Department to a letter addressed to that department under date of August 4, 1939, relative to certain matters considered by the Board at a meeting on August 2, 1939, including the proposed purchase of land adjoining the Armory at Bel Air, Maryland and the bill of Carl W. Schmidt for architectural and engineering services at Pikesville.

Mr. Kirkman, who was to make some investigation of the proposed purchase of land adjoining the Armory at Bel Air, stated that he had not been able to look into the matter up to this time but would do so at an early date and report to the Board.

The Secretary was instructed to ask the Military Department to reply to letter of August 4, 1939, in connection with compensation for Major Schmidt's work at the Pikesville Armory.

MARYLAND TUBERCULOSIS SANATORIUM - Henryton:

The Secretary brought to the attention of the Board a letter from Dr. Victor F. Cullen, Superintendent of the Maryland Tuberculosis Sanatorium, requesting authority to proceed with the purchase of equipment and the installation of it in connection with the construction at the Henryton Branch, as outlined in letter addressed to the Board by Dr. Cullen under date of September 25th, 1939.

The Board approved the request of Dr. Cullen.

WYE OAK:

The Secretary brought to the attention of the Board bills of John W. D. Jump, Easton, Maryland, for \$40.10 and Henry Herbert Balch, Easton, for \$87.33, for legal work and expenses in connection with the acquisition of the "Wye Oak" property at Wye Mills, Talbot County, Maryland, which bills were approved by The State Law Department

The Board approved payment of the bills out of the appropriation to the State Department of Forestry in the General Bond Issue of 1939.

PULASKI MONUMENT:

The Governor reported that he had been in touch with this and expects to have the Committee work with the General Pulaski Monument Committee in connection with the plans for the erection of a memorial in Patterson Park, Baltimore, Maryland.

EMERGENCY BOND ISSUE OF 1935:

The Board adopted the following resolution declaring it not necessary, the 1940 levy for the Emergency Bond Issue of 1935, as provided by Chapter 91 of the Acts of 1935.

RESOLUTION

WHEREAS, under Section 9 of Chapter 91 of the Acts of the General Assembly of Maryland of 1935, provision is made for the levy of State Taxes for the year 1940, at four and one-quarter cents ( $4\frac{1}{4}$ ) on each one hundred dollars (\$100) of assessable property, to meet the interest on the outstanding certificates of the Emergency Bond Issue of 1935, and also to meet and redeem so much of the principal as may be redeemable in said year, unless, before January 1st, 1940 the Board of Public Works shall ascertain as a fact that all payments of principal and interest have been met during the current year, and that the reserve fund provided for in Section 8 of said Act is unimpaired: and

WHEREAS, the Comptroller has presented to the Board a statement showing that there was on hand in the State Treasury September 30th, 1939, the Reserve Fund of \$500,000 required by Chapter 91 of the Acts of the General Assembly of Maryland of 1935 after making provision for paying all interest due on the Emergency Bond Issue of 1935 in the calendar year 1939, and the Comptroller further estimates that the receipts in the State's fiscal year beginning October 1st, 1939 from Collateral Inheritance Tax and Direct Inheritance Tax will be \$1,500,000, and further advises the Board that the requirements for interest in the calendar 1940 on the Emergency Bond Issue of 1935 will be \$217,635.00 with maturities of \$358,000.00 April 15th, 1940 and \$192,000.00 October 15th, 1940, indicating a total service requirement of \$767,635.00; and

THEREFORE, BE IT RESOLVED: That the Board of Public Works does hereby find as a fact that all payments of principal and interest upon said certificates have been provided during the current year, and that the Reserve Fund provided for in Section 8 of said Act is unimpaired; and

BE IT FURTHER RESOLVED: That the Governor of Maryland be, and he is hereby authorized and directed to publicly declare by proclamation that the State Taxes provided for in Section 9 of said Act shall not be collected or levied for the year 1940.

STOCK CERTIFICATES AND CERTIFICATES OF BENEFICIAL INTEREST:

The Secretary brought to the attention of the Board a list of stock certificates and certificates of beneficial interest owned by the State, arising out of banking difficulties in the year 1933.

No action was taken as to the disposition of the certificates except that it was understood that any maturing and for which payment would be received were to be turned in in the usual course. Copy of the list of certificates was turned over to Mr. Miles for his information.

UNIVERSITY OF MARYLAND:

The Secretary brought to the attention of the Board communication from Dr. H. C. Byrd, President of the University of Maryland, outlining plans for the construction of a building on the campus of the University by the Rural Women's organization to be used as headquarters for the Home Demonstration work.

The Board approved the construction of the building, in accordance with the plans outlined by Dr. Byrd in his letter of September 25th, 1939.

DISPOSITION OF OLD RECORDS:

The Secretary brought to the attention of the Board the question of the accumulation of old records by various departments of the State, and particularly in the Comptroller's Office which will be moved into the new State Office Building in the near future.

The Board felt, as to the large volume of gasoline tax claims which were stored by the Comptroller, that it would be desirable to dispose of these claims where they were more than two years old. It was also felt that some thought should be given to the question of the disposition of old and useless records and that an act might be secured from the next Legislature which would contain authority for the various State Departments, or some State Committee, to take care of the disposition of papers which would serve no purpose after they had ceased being useful as current records. A letter addressed to the Comptroller by State Archivist, Dr. Morris L. Radoff, suggested that some legislation be secured on the subject.

STATE OFFICE BUILDING:

The Secretary brought to the attention of the Board request from the Department of Parole and Probation that the metal partitions for Rooms 361 and 362 of the offices to be used by that department be run to the ceiling to give more privacy to the occupants of those two offices. It was stated that an additional cost of \$165.00 would be involved.

The Board thought it better to wait until the building is completed and if the situation warrants it, some consideration could be given later to doing the additional work.

DISPOSAL OF PROPERTY:

The Secretary stated that Mr. Lee Kries, Chief Engineer, had received an offer of \$40.00 for the old electric motor taken from the Mansion during the renovation of that building. Mr. Kries advises that there is no further use for the motor and there is no prospect of it being needed, and recommends this sale.

The Board approved the recommendation and authorized the sale of the motor to the person offering \$40.00/

ROSEWOOD STATE TRAINING SCHOOL:

The Secretary brought to the attention of the Board account of the State against Baltimore City for maintenance of persons from Baltimore City in that institution. Under Act of the General Assembly of 1937, the maintenance of persons from Baltimore City and the counties is chargeable to those units along the lines of maintenance of persons in other State institutions. The law became effective June 1, 1937, and while Rosewood State Training School has certified to the State Comptroller the amounts chargeable to Baltimore City from June 1, 1937 to September 30, 1939, quarterly, as required by law, the City has failed to remit for any of the bills rendered.

The Secretary stated that he had attended a meeting in the office of Mr. Charles C. G. Evans, City Solicitor, at which Mr. Hugh Allen Meade, Assistant Attorney General, and Mr. Herbert Fallin, Chief of the Bureau of Disbursements of Baltimore City, and Mr. Thomas J. S. Waxter, Director of Welfare for Baltimore City, were present, for the purpose of discussing the account. Mr. Evans raised some question as to the legal responsibility of the City for the payment of the maintenance of some of the persons in the institution alleged to have been certified as coming from Baltimore City, but it was stated that the City would accept some responsibility for maintaining persons from the City in the institution and would be willing to agree to a compromise of the claim, which would involve a reduction of about \$25,000 of the amounts charged to September 30, 1939, totaling \$188,210.27.

The Board felt that in as much as all of the counties had acquiesced to the charges submitted by the School and that the records at the School do show information that the persons charged to Baltimore City by the School were accepted there upon certification of the Orphan's Court of Baltimore City, that the State should insist upon payment by the City of the bills prepared by the School. The Secretary was instructed to communicate this information to Mr. Meade, Assistant Attorney General, with the request that he present the matter to the City with the request for payment.

#### STATE OFFICE BUILDING:

The Secretary asked if any consideration was to be given by the Board to the matter of employes such as watchmen, janitors, elevator operators, for the new State Office Building.

The Governor stated that Mr. Cromwell, Superintendent of Public Buildings and Grounds, has been in touch with the State Employment Commissioner relative to the additional personnel required.

#### STATE AUDITOR:

The Secretary stated that Mr. Daniel L. Clayland, 3rd, State Auditor, had asked him to call to the attention of the Board the fact that up to this time no examination had been made of the accounts of the Unemployment Compensation Board and the Department of Welfare. Mr. Clayland stated that he felt his office was not sufficiently equipped with personnel to do the auditing which would be required of these two departments.

The Secretary was instructed to ask Mr. Clayland to get in touch with the Department of Welfare and ascertain the situation as to the state of affairs with respect to the auditing of the accounts of the various Relief Divisions, and to report to the Board. Also, that a report be given to the Board relative to the Unemployment Compensation Board.

#### MOTOR VEHICLE TITLING TAX:

The Comptroller brought to the attention of the Board an error which had been made in the collection of the tax on the titling of a motor vehicle, whereby the State failed to receive \$8.65 in connection with a title issued for an automobile to Lewis G. Coscia, 4303 Hayward Avenue, Baltimore, Maryland. A statement by Miss Henrietta Sacks, of the Comptroller's Office, who resigned, to the office of the Commissioner of Motor Vehicles in connection with the collection of this tax, was considered.

As it seemed evident to the Board that tax was collected at the rate of one percent (1%) instead of two percent (2%), and that there was no way of recovering the additional tax from the applicant, Miss Sacks should be relieved of the responsibility for the \$8.65 involved and that authority be given for the writing off of this item as uncollectible.

#### REFUND OF STATE TAXES - Interest:

The Secretary brought to the attention of the Board communication from Mr. Nicholas G. Penniman, 3rd, representing Proprietors of Green Mount Cemetery, wherein claim was made for the payment of interest in connection with refund of state taxes paid in error. 4,174.69

The Secretary stated that he had discussed the matter of interest on refunds of state taxes with Mr. William L. Henderson, Deputy Attorney General, and that Mr. Henderson had advised interest should be paid since the Legislature had specifically indicated in an act passed by the General Assembly of 1939, that interest was to be paid on refunds

of taxes received by the State in error.

The Board accepted the views of The State Law Department in the matter and authorized payment of interest on claims in the future.

PIER 8 - LIGHT STREET, Baltimore, Md.:

The Secretary brought to the attention of the Board letter received from Mr. B. B. Wills relative to a proposed arrangement whereby the Wilson Line, leasee of Pier 8-Light Street, Baltimore, would be willing to agree to the owners of Pier 9-Light Street, Baltimore, using part of the water space connected with Pier 8 on the south side, in return for some use which might be necessary for the tobacco boats in unloading at Pier 8 of water space belonging to Pier 9.

The Board felt that any concession to be made by the Wilson Line in connection with the lease it holds from the State for the use of Pier 8 should be negotiated by Mr. Wills, rather than by the State.

COMMISSIONER OF MOTOR VEHICLES:

The Board authorized as uncollectible, a balance of \$40.00 charged on the books of the Commissioner of Motor Vehicles, due on fine imposed upon Mr. Albert C. Craft, Federalsburg, Maryland. The request for this authority indicated that Mr. Craft died in August 1939 and that there was no chance of collecting the money.

MARYLAND STATE POLICE:

The Board approved a lease to be made between the Maryland State Police and the Susquehanna Power Company for property known as Conowingo Substation of the Maryland State Police, at a nominal rental of \$1.00 per year, for a period of ten (10) years. The State Law Department took exception to several items in the lease submitted by the Maryland State Police, but since the rent to be paid by the State was nominal and the condition of the lease would not impose any undue obligations upon the State, the Board felt justified in not insisting upon the standard form of lease being used in this case.

STATE TEACHERS' RETIREMENT SYSTEM:

The Secretary brought to the attention of the Board communication from The State Law Department taking exception to certain clauses in the proposed lease between the Consolidated Gas, Electric Light and Power Company and the State Teachers' Retirement System of Maryland, covering office space to be used by the System in the Lexington Building, Baltimore. Mr. Kirkman called attention to the fact that the company has recently executed other leases using the standard form of lease and that he felt the company would agree to the use of the standard form in the case of the State Teachers' Retirement System.

Under the circumstances, the Secretary was instructed to refer the matter to Mr. Kirkman so that he might arrange with the lessor for the use of the standard form in this case.

MARYLAND STATE BOARD OF LAW EXAMINERS:

The Secretary brought to the attention of the Board a letter received from Alexander Armstrong, Chairman of the Maryland State Board of Law Examiners, in which request was made that there be continued available to the State Board of Law Examiners the balance of \$2,909.29 to their credit as of September 30, 1939, until such time as the Court of Appeals has an opportunity to consider the disbursement of this money. It was stated that the compensation of the members of the Board for services rendered in connection with the holding of examinations for admission to the Bar would be a proper charge against the balance and that the law authorized the Court of Appeals to pass upon the compensation.



The request that the balance be continued available to the Maryland State Board of Law Examiners was approved.

STATE BOARD OF CHIROPODY EXAMINERS:

The Secretary brought to the attention of the Board a letter received from Harry P. Clifton, Secretary of the State Board of Chiropractic Examiners of Maryland, requesting that the balance of \$192.65 to the credit of that Board as of September 30, 1939, be continued available to the Board because of the prospect that there would be no further fees, with the exception of that to be received from an application during the next year, and the necessity of having this money available for expenses for the next year or two.

This request was approved by the Board.

STATE BOARD OF BARBER EXAMINERS:

The Secretary brought to the attention of the Board report received from the State Auditor covering examination of the accounts and records of the State Board of Barber Examiners. Attention was called to the fact that the former Board, whose activities are covered by the State Auditor's report to September 30, 1939, had received \$771.75 in fees from applicants for examinations and that instead of holding this money available until after the examinations, the Board had disbursed it, leaving no money available to make refunds in the event the applicants for licenses failed to pass the examinations. It is understood that the Secretary to the new State Board of Barber Examiners will confer with The State Law Department, with the view of deciding what action, if any, should be taken in connection with having the old Board turn over to the new Board the money collected from the applicants for licenses, where the applicants are yet to be examined.

REFUNDS:

The Secretary brought to the attention of the Board the fact that the Budget for 1940 includes an appropriation of \$25,000 for the payment of claims for refunds of monies paid into the State Treasury in error, subject to the approval of the Board of Public Works, and the following claims were submitted:

|                          |          |                          |             |
|--------------------------|----------|--------------------------|-------------|
| Alvin Beachly            | \$100.00 | Mortgage Guarantee Co.   | \$527.37    |
| The Blue Ridge Fire      |          | Real Estate Trust Co.    | 370.66      |
| Insurance Company        | 71.15    | Baltimore Transit Co.    | 675.00      |
| The Duraflex Corporation |          | Homestead Fire Insurance |             |
| of Maryland, Inc.        | 131.90   | Company                  | 189.42      |
| Canton National Bank     | 533.64   | Vimpep Foods, Inc.       | 17.85       |
| Fidelity & Deposit Co.   | 36.73    | Total                    | \$2,653.72. |

The Board approved the payment of the foregoing claims.

STATE INCOME TAX - Refunds:

The Secretary brought to the attention of the Board several claims which had been made for refunds of state income tax, and particularly claims of employees of agencies of the United States Government and of State Judges who felt that amounts paid by them were paid in error. The Secretary read to the Board a letter received from The State Law Department advising that it was the opinion of that department that the Comptroller would be justified in authorizing refunds without distinction as to the type of federal agency, upon the filing therefore in proper form, and that it would be appropriate to give adequate notice of same and the first dead line after which claims should not be received and after which any remaining part of funds for this purpose might revert to the Treasury.

The Board agreed with the views of the State Law Department in this matter and decided that steps should be taken to pay the claims and to limit the

time for the filing of claims to December 31, 1939.

#### HALL OF RECORDS:

The Board approved the request of Dr. Morris L. Radoff, Archivist, that the Hall of Records purchase a Photostat Recorder from the Photostat Corporation, Rochester, New York, at a cost of \$2,110.00 with an allowance of \$450.00 on the old machine, making a net cost of \$1,660.00, f.o.b. Annapolis, Maryland, payment to be made out of the appropriation for equipment for the Hall of Records in the General Bond Issue of 1939.

The Board also approved the request of Dr. Radoff for the purchase of a Micro Newsreader from the Graphic Service Company, 328 Chestnut Street, Philadelphia, Pennsylvania, at a cost of \$250.00, payment to be made out of the same fund as the Photostat equipment.

#### CHELTHENHAM SCHOOL FOR BOYS:

The Secretary brought to the attention of the Board a letter from the Cheltenham School for Boys relative to the work of building two cottages and a mule stable at the institution, for which the Board approved a budget amendment for the fiscal year 1939, making available money for the cost of the work.

The Board approved the request of the institution that it proceed with this work by contract, with the contractor securing the work to use such materials as had already been ordered by the School when it was thought that the work would be done by labor employed by the School and the materials purchased through the Central Purchasing Bureau.

#### MORGAN COLLEGE:

The Governor submitted to the Board the agreement between Morgan College and the Commission on a State College for Negroes, covering the taking over by the State of Morgan College as a State College for Negroes, as contemplated by Chapter 331 of the General Laws of Maryland, 1939.

After carefully considering the agreement the Governor moved the approval of it. The Comptroller seconded the motion. The agreement was unanimously approved.

The Secretary brought to the attention of the Board a communication from The State Law Department, attached to which was a letter from the Title Guarantee & Trust Company in regard to the title to the Morgan College property. The State Law Department stated that it appears that the College has a good title to the property and that the title to the parcel of land owned by the Mayor and City Council is also valid. The Title Company suggested that a new surveyor's plat be obtained and that this would be of assistance in preparing the deed. The letter of the State Law Department also stated that the College should join in the conveyance from the Mayor and City Council to the State to avoid any question as to a resulting trust in the stadium property.

The Secretary was instructed to communicate with The State Law Department and request that the necessary papers be prepared covering the transfer of the property to the State.

The Governor brought to the attention of the Board the fact that it would be necessary, under the provisions of Chapter 331 of the Acts of 1939, to appoint a Board of Trustees, consisting of not more than nine, citizens of the State who shall have control of said Morgan College under the name and style of "Morgan State College" until such time as the General Assembly shall provide for the permanent management of said "Morgan State College". The Members of the Board of Public Works will give consideration to the selection of the members for the Board of Trustees and take this matter up at later meeting.

The Governor furnished each member of the Board with a copy of letter he had received from Dr. D. O. W. Holmes, President of Morgan College, on the subject of a Board of Trustees of Morgan State College, in which letter the names of a number of persons were suggested and the qualifications of these persons outlined in detail.

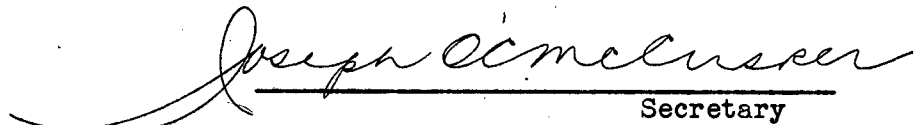
The Secretary brought to the attention of the Board communication from the Board of School Commissioners of Baltimore City, calling attention to the fact that there has been an arrangement between Morgan College and the Public School System of Baltimore whereby the pupils in the colored secondary schools of Baltimore City have been afforded the use of Morgan College Stadium for athletic contests, and requesting that the interests of the pupils under the new plan be safe-guarded by continuing the above mentioned arrangement.

The Board decided to leave this matter for consideration by the Board of Trustees to be appointed for Morgan State College.

STATE AUDITOR:

The Board approved budget amendment submitted by the State Auditor, making available to his office a balance of \$881.43 in the 1939 Budget, for traveling expenses in the fiscal year 1940 because of the necessity of having this money available to take care of the work which was not completed to September 30, 1939.

There being no further business, the meeting was adjourned.

  
Secretary